

Applicants: Magno, Jr., et al.
Application No.: 10/726,090
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Amendments to the Drawings:

The attached sheet 6 of the drawings includes changes to Fig. 9. Please replace sheet 6 of the drawings, as originally filed, with the attached sheet 6.

Attachment: Replacement Sheet 6 of the drawings

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REMARKS

Reconsideration of the above-identified application including claims 1 to 13 (claims 1, 4, 5, 8, 12 amended herein), in view of the following remarks, is requested.

Claims 1 to 11 have been indicated as being allowable in the Office Action at p. 5.

Claim 1

Claim 1 has been objected to as having no antecedent basis for "said adjoining portion" at line 7¹ (Office Action, p. 3). Claim 1, as amended herein, introduces the "adjoining portion" at line 8.² Accordingly, this objection of claim 1 should be withdrawn, and such action is requested.

Claim 4

Claim 4 has been objected to as having no antecedent basis for "said adjoining portion" at line 5¹ (Office Action, p. 3). Claim 4, as amended herein, introduces the "adjoining portion" at line 5¹ as "a second adjoining portion" at line 6.² Accordingly, this objection of claim 4 should be withdrawn, and such action is requested.

¹ line number refers to claim as originally filed.

² line number refers to claim in the present "Amendment".

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Claim 5

Claim 5 has been objected to as having no antecedent basis for “said adjoining portion” at line 4¹ (Office Action, p. 3). Claim 5, as amended herein, introduces the “adjoining portion” at line 4.² Accordingly, this objection of claim 4 should be withdrawn, and such action is requested.

Claim 6

Claim 6 has been objected to as having no antecedent basis for “said flexible connection” at lines 2 to 3¹ (Office Action, p. 3). This objection should be withdrawn in view of the dependency of claim 6 from claim 1. Claim 6 thereby contains all of the limitations of claim 1 which, at line 15,² defines the pawl as being “flexibly connected to an inner surface of said base”. This provides the antecedent basis for “said flexible connection” at line 3² of claim 6. Accordingly, this objection of claim 6 should be withdrawn, and such action is requested.

Claim 8

Claim 8 has been objected to as having no antecedent basis for “said adjoining portion” at line 7¹ (Office Action, p. 3). Claim 8, as amended herein, introduces the “adjoining portion” at line 8.² Accordingly, this objection of claim 8 should be withdrawn, and such action is requested.

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Claim 11

Claim 11 has been objected to as having no antecedent basis for "said flexible connection" at line 3¹ (Office Action, p. 3). This objection should be withdrawn in view of the dependency of claim 11 from claim 8. Claim 11 thereby contains all of the limitations of claim 8 which, at line 16,² defines the pawl as being "flexibly connected" to an inner surface of said base". This provides the antecedent basis for "said flexible connection" at line 3² of claim 11. Accordingly, this objection of claim 11 should be withdrawn, and such action is requested.

Claim 12

Claim 12 has been rejected under 35 U.S.C. § 102 based on U.S. Patent No. 3,588,962 (Feldberg '962) (Office Action, p. 4 to 5).

Claim 12, as amended herein, defines a cable tie having a head within which is formed a passageway through which the strap of the cable tie is inserted. The passageway has a side which is defined by a support surface. The support surface extends across substantially the entire separation between said entry and exit ends. The strap is urged into engagement with the support surface by the pawl such that the engagement is substantially continuous between the entry and exit ends. This engagement by the strap and extension of the support surface between the entry and exit ends is significant because it provides an increased surface area for support of the strap.

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This provides enhanced stability to the strap when the strap is urged against the support surface by the pawl. Also, the extension of the support surface between the entry and exit ends simplifies the formation of the support surface and passageway.

No new matter is added by the amendments to claim 12 because the extension of the support surface between the entry and exit ends, and the engagement of the strap with the support surface is shown in Figs. 6, 7, and 9, as originally filed.

The extension of the support surface between the entry and exit ends and the engagement by the strap with the support surface, as defined by claim 12, is not shown or suggested by Feldberg '962. In contrast, Feldberg '962 discloses a bundling strap 10 having a head 11 within which is formed a locking slot 14. A pawl 15 extends from the head 11 into the slot 14 for engagement with ratchet teeth 13 to prevent the strap 12 from being completely retracted from the head 11, as shown in Figs. 5 and 6.

The slot 14 has a side which is defined by a transverse end surface 20. The transverse end surface 20 has a section 20a which is cut away from the portion of the surface 20 which is engaged by the strap 12, as shown in Figs. 5 and 6 (col. 4, lines 56 to 63). Consequently, the portion of the end surface 20 which is engaged by the strap 12 is not substantially continuous

between the ends of the head 11 through which the strap 12 enters and exits when the strap 12 is inserted through the slot 14. Consequently, the surface area of the end surface 20 engaged by the strap 12 is reduced, as shown in Figs. 5 and 6, which limits the support and stability provided by the end surface 20 to the strap 12 when the strap 12 is forced against the end surface 20 by the pawl 15. Also, the formation of the section 20a complicates the formation of the slot 14, for example, by using a core 25 which has a V-shaped surface and which translates in a direction 26 having an inclination relative to the axis of the slot 14 (Fig. 3, col. 3, lines 52 to 67, col. 4, lines 51 to 56).

Accordingly, the rejection of claim 12 under 35 U.S.C. § 102 should be withdrawn, and such action is requested.

Claim 12 has been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite based on the phrase "said side" at line 18¹ of claim 12 (Office Action, p. 3). This rejection should be withdrawn in view of the phrase "said side", at line 19² of claim 12, being immediately followed by the phrase "thereof defined by said grip surface of said pawl". This modifies the phrase "said side" and indicates that "said side" is the side of the passageway "defined by said grip surface".

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Moreover, the phrase "said side" is immediately preceded by the following:

"said head having a support surface which defines a side of said passageway which opposes" (lines 18 to 19²).

This indicates that the "said side" is opposed by the side of the passageway which is defined by the support surface. Thus, the "said side" cannot be the side of the passageway which is defined by the support surface since the "said side" cannot oppose itself.

Accordingly, the phrase "said side" at line 19² of claim 12 is not indefinite under 35 U.S.C. § 112, second paragraph. Consequently, this rejection of claim 12 should be withdrawn, and such action is requested.

Claim 13

Claim 13 has been rejected under 35 U.S.C. § 102 based on Feldberg '962 (Office Action, p. 4 to 5). Claim 13 depends from claim 12 and thereby contains all of the limitations thereof. Accordingly, this rejection of claim 13 should be withdrawn for the same reasons as for claim 12, and such action is requested.

Claim 13 has been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite based on the phrase "said side" at line 18¹ of claim 12 (Office Action, p. 3). Claim 13 depends

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from claim 12 and thereby contains all of the limitations thereof. Accordingly, this rejection of claim 13 should be withdrawn for the same reasons as for claim 12, and such action is requested.

Claim 13 has been objected to as having no antecedent basis for “said flexible connection” at line 3¹ (Office Action, p. 3). This objection should be withdrawn in view of the dependency of claim 13 from claim 12. Claim 13 thereby contains all of the limitations of claim 12 which, at line 10,² defines the pawl as being “flexibly connected” to an inner surface of said base”. This provides the antecedent basis for “said flexible connection” at line 3² of claim 13. Accordingly, this objection of claim 13 should be withdrawn, and such action is requested.

Drawings

The drawings have been objected to based on the illustration of the pawl in Fig. 9 in view of the illustrations of the pawl in Figs. 6 and 8 (Office Action, p. 3). The attached Replacement Sheet 6 of the drawings contains Fig. 9 which shows the pawl in the supplemental locking position. The illustration of the pawl in Fig. 9 shows the deformation of the pawl which enables the pawl to contact the strap teeth, as shown in Figs. 6, 7, and 9. The deformation of the pawl, including the teeth thereof, is provided by the resiliency of the material of the pawl. The resilient material of the pawl is disclosed in the specification, as originally filed, at p. 4, [0011]

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("flexibility of materials normally used for cable ties"), p. 9, [0030], [0031] ("material of the head 42 being sufficiently resilient").

The foregoing is submitted as being fully responsive to the Office Action including the rejections and objections contained therein. Accordingly, the above-identified application is submitted as being allowable and allowance thereof is requested.

No fee is believed to be required for entry of the present "Amendment" in the record of the above-identified application and consideration thereof. However, if any such fee(s) is required, the USPTO is authorized and requested to charge such fee(s) to Deposit Account No. 20-0776.

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If the Examiner has any questions regarding the above-identified application, Applicants' Attorney Gordon F. Belcher is requested to be contacted at the below-identified telephone number.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gordon F. Belcher". The signature is written in dark ink and is positioned above a horizontal line.

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